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UNITED STATES DISTRICT COURT

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FOR THE EASTERN DISTRICT OF CALIFORNIA

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KAREN LaMANTIA,

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NO. CIV. S-01-1933 LKK/GGH

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Plaintiff,

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v.

O R D E R

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HEWLETT-PACKARD COMPANY
EMPLOYEE BENEFITS
ORGANIZATION INCOME
PROTECTION PLAN,

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Defendant.

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On September 14, 2006, the Ninth Circuit remanded the above captioned case. The Circuit explained that the decision in Abatie v. Alta Health & Life Ins. Co., 458 F.3d 955 (9th Cir. 2006) fundamentally changes how courts review administrator determinations under the Employee Retirement Security Act, 29 U.S.C. §§ 1001-1461. In light of the Circuit's remand, the parties shall file new motions for summary judgment which take into account the new standard set forth in Abatie. Accordingly, the court sets the following briefing schedule:

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1. Motions for summary judgment shall be filed no later

1 than January 2, 2007 at 9:00 a.m.

2. Oppositions or statements of non-oppositions shall be
3 filed no later than January 16, 2007 at 9:00 a.m.

4. Reply briefs shall be filed no later than January 22,
5 2007 at 9:00 a.m.

6. Oral argument on the motions for summary judgment is SET
7 for January 29, 2007 at 10:00 a.m. in Courtroom Four.

8 IT IS SO ORDERED.

9 DATED: October 13, 2006.

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12 LAWRENCE K. KARLTON
13 SENIOR JUDGE
14 UNITED STATES DISTRICT COURT
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